REMARKS

Applicants and the undersigned are most grateful for the time and effort accorded the instant application by the Examiner. The Office is respectfully requested to reconsider the rejections presented in the outstanding Office Action in light of the following remarks.

Claims 19, 25, 31, 39, 47-49 are independent claims; the remaining claims are dependent claims. The independent claims were rewritten in the previous Amendment, and in view of the art presented herewith, are still in condition for allowance. Applicants intended no change in the scope of the claims by the changes made by the prior amendment. It should also be noted these amendments were not in acquiescence of the Office's position on allowability of the claims, but merely to expedite prosecution.

Claim 47 stands rejected under 35 USC § 102(a) as being anticipated by Bonastre et al. (hereinafter "Bonastre").

As best understood, Bonastre appears to be directed towards a system for detecting speaker changes and verifying those changes. While the instant invention also detects speaker changes and recognizes and records speech corresponding to the speaker changes, Bonastre, however, teaches away from the instant invention's capability of simultaneously or concurrently detecting speaker changes and recognizing speech from known speakers. This is evidenced by numerous assertions of Bonastre that the speaker based segmentation is independent of or without speaker models (end of Section 2 and end of Section 3.2) Bonastre asserts that he specifically does NOT recognize speakers

when detecting the speaker change. Further, there is no teaching or suggestion in Bonastre that each speaker utilizes a separate dictionary. Bonastre mentions the example of a famous politician for whom a speech model exists, and the prior art methods of detecting his speech in a discussion with unknown speakers. However, this is in stark contrast to the concepts of the instant invention, in which speech recognition of different recognized speakers utilize different dictionaries for each speaker after detecting a speaker change, as claimed in the independent claims (including Claim 47). Thus, it is respectfully submitted that Bonastre does not meet the limitations of the independent claims of the instant invention, and the claims as presently presented fully distinguish over the prior art and are, therefore, immediately allowable.

It is respectfully submitted that Bonastre does not meet the limitations of the independent claims as shown above. Therefore, the Applicants respectfully submit that the applied art does not anticipate the present invention because, at the very least, "[a]nticipation requires the disclosure in a single prior art reference of each element of the claim under construction." W.L. Gore & Associates, Inc. v. Garlock, 721 F.2d 1540, 1554 (Fed. Cir. 1983); see also In re Marshall, 198 U.S.P.Q. 344, 346 (C.C.P.A. 1978).

Claims 19-20, 22-26, 28-31, 33-39, 41-46 and 48-49 stand rejected under 35 USC § 103(a) as obvious over Bonastre in view of Glickman et al. (hereinafter "Glickman"). Specifically the Office asserted that "[i]t would have been obvious ... to modify Bonastre et al. by incorporating the teaching of Glickman et al. in order to provide automatic closed-caption using speaker-dependent models to enhance speech recognition accuracy." Reconsideration and withdrawal of the present rejection is hereby respectfully requested.

As the Examiner is aware, to establish a *prima facie* case of obviousness under 35 U.S.C. § 103 there must be a suggestion or motivation to modify a reference or combine references; a reasonable expectation of success in making the modification or combination; and the prior art must teach or suggest all the claim limitations. *See In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). The Office has failed to establish such a *prima facie* case. As shown above, Bonastre fails to meet the limitations of the independent claims of the instant invention. Glickman does not overcome the deficiencies of Bonastre as shown above.

The examiner relies on Glickman to disclose the step of transcribing at least part of the continuous audio stream if a predetermined speaker is recognized. In that regard, Glickman "develop[s] separate acoustic-phonetic models ... for [each of] the multiple speakers." (Col. 5, lines 51-52) Glickman continues that "[a]fter the models are 'trained', speaker recognition can automatically be performed" and "[t]his technique can also be used to perform 'automatic' closed captioning." (Col. 5, lines 52-55) Glickman thus teaches transcription of the speech of all speakers involved in a particular conversation. However, there is no suggestion or teaching in Glickman that is able to overcome the deficiencies shown in Bonastre above. Specifically, there is no teaching or suggestion in Glickman of the ability to recognize the speech of different recognized speakers and utilize different dictionaries for each speaker after detecting a speaker change. As shown in previous Amendments, there is not even a teaching or suggestion in Glickman to process the speech of different speakers with different dictionaries of

different topics. Thus, even if Glickman were combined with Bonastre, this combination does not teach or suggest the claimed invention.

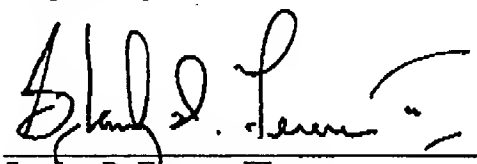
Claims 21, 27, 32 and 40 stand rejected under 35 USC § 103(a) as obvious over Bonastre in view of Glickman, and further in view of Kimber et al. (hereinafter "Kimber"). Specifically the Office asserted that "[i]t would have been obvious ... to further modify Bonastre et al. by incorporating the teaching of Kimber et al. in order to improve speech recognition accuracy." Reconsideration and withdrawal of the present rejection is hereby respectfully requested.

As best understood, Kimber appears to be directed to a method of clustering speaker data from a plurality of unknown speakers in conversational data. Kimber also fails to overcome the deficiencies of Bonastre as shown above. Specifically, there is no teaching or suggestion in Kimber of the ability to recognize the speech of different recognized speakers and utilize different dictionaries for each speaker after detecting a speaker change. Kimber does not even disclose identifying a known speaker from among the plurality of speakers *and* transcribing or indexing at least part of the continuous audio stream if the known speaker is recognized, wherein each speaker is processed using a different dictionary of different topics. Thus, it is respectfully submitted that the combination of Bonastre, Glickman, and Kimber fails to meet the limitations of the instant invention. Thus, the claimed invention is patentable over the combined references and the state of the art.

In view of the foregoing, it is respectfully submitted that Independent Claims 19, 25, 31, 39 and 47-49 fully distinguish over the applied art and are thus allowable. By virtue of dependence from Claims 19, 25, 31 and 39, it is thus also submitted that Claims 20-24, 26-30, 32-38 and 40-46 are also allowable at this juncture.

In summary, it is respectfully submitted that the instant application, including Claims 19-49, is presently in condition for allowance. Notice to the effect is hereby earnestly solicited. If there are any further issues in this application, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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